

THE FAYETTE COUNTY PLANNING COMMISSION held a **Public Meeting/Workshop** on March 19, 2009, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Board of Commissioners Conference Room, Suite 100, Fayetteville, Georgia.

MEMBERS PRESENT: Douglas Powell, Chairman
Al Gilbert, Vice-Chairman
Bill Beckwith
Jim Graw
Tim Thoms

MEMBERS ABSENT: None

STAFF PRESENT: Pete Frisina, Director of Planning & Zoning
Dennis Dutton, Zoning Administrator
Robyn S. Wilson, P.C. Secretary/Zoning Coordinator

Welcome and Call to Order:

Chairman Powell called the Public Meeting/Workshop to order and introduced the Board Members and Staff.

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1. Discussion of proposed amendments to the Fayette County Zoning Ordinance as presented by the Planning & Zoning Department.

01/23/09 – BOC Retreat

03/19/09 – PC Wkshop (Parcel or Tract changed to Lot)

ARTICLE V. GENERAL PROVISIONS

5-1. Use. ~~No building, structure or land shall be used or occupied in a manner inconsistent with the requirements herein. No building, structure or part thereof shall be erected, constructed, reconstructed, moved, enlarged or structurally altered in a manner inconsistent with the requirements herein.~~ **No building or structure shall be erected and no existing building shall be moved, altered, added to or enlarged, nor shall any land, building, structure or premises be used, designed or intended to be used for any purpose or in any manner other than a use designated in this title, or amendments thereto, as permitted in the district in which such land, building, structure or premises is or are located.**

5-2. Use, Prohibited. If either a use or class of uses is not specifically indicated as being permitted in a zoning district, either as a matter of right or as a conditional use, then such use, class of uses, or structures for such uses shall be prohibited in such zoning district.

- 5-2. Principal Structure or Use. In all residential or agricultural zoning districts, no more than one (1) principal structure or use shall be located on a lot, except as otherwise provided herein. In all non-residential zoning districts, no more than one (1) principal use shall be located on a lot, except as otherwise provided herein.
- 5-3. Use on a Lot. Construction of buildings, ~~and~~ structures, and establishment of uses shall occur only upon a lot as defined herein.
- 5-4. Height and Density. No building or other structure shall hereafter be erected or altered so as to:
- A. Exceed the height limit; or
 - B. Accommodate or house a greater number of families per lot than allowed.
- 5-5. Reduction of Lot Area. No lot shall be reduced in size so that the lot width or depth, size of yard, lot area per family, or any other requirement of this Ordinance is not maintained. This restriction shall not apply when a portion of a lot is acquired for a public purpose.
- 5-6. Yard Service, Required Open Space to One (1) Building. No part of any yard, ~~or~~ other open space, or off-street parking or loading space required about, or in connection with, any building, structure, or use shall be included as part of a required yard, open space, or off-street parking or loading space similarly required for any other building, structure, or use except as provided herein.
- 5-7. Open Space Not to be Encroached Upon. No open space shall be encroached upon or reduced in any manner except in conformity with the yard, setback, off-street parking spaces, and such other regulations required for the zoning district in which such building is located. Shrubbery, driveways, retaining walls, fences, curbs, and planted buffer strips shall not be construed to be encroachments. Open space areas shall be permanently maintained as open space and appropriately landscaped. These areas may not be used for vehicular access, parking or similar uses except as otherwise provided herein.
- 5-8. Encroachment on Public Rights-of-Way. No building, structure (including prohibited mailbox supports as described in ~~Section 5-37~~ Article V), service area or required off-street parking and loading facilities, except driveways, shall be permitted to encroach on public rights-of-ways. (Amended 02/25/99)
- 5-9. Single Family Dwelling. Single family dwellings are permitted uses in A-R ~~and all residential~~ *EST, R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20, DR-15, C-S, PUD-PRD, PUD-PRL, PUD-PEF, and MHP* zoning districts.
- A. Additions To A Single Family Structure. All additions to a Single Family Dwelling must be attached to the primary structure, via either a heated ~~and cooled~~ corridor that has minimum interior dimensions of six (6) feet in width and eight (8) feet in height,

or by a direct access common wall. Said corridor must be attached to the primary residence at a location that is currently heated ~~and cooled~~. (Adopted 06/23/05)

B. Porte Cochere. A porte cochere shall be attached at an entrance of a single-family dwelling and shall meet the following standards: (Adopted 06/26/08)

1. Shall consist of a singular roof line that is consistent with the single-family dwelling roof design, and supported by posts/columns and shall remain open on the remaining three (3) sides; (Adopted 06/26/08)
2. Shall be consistent with the architectural character/facade of the single-family dwelling; and (Adopted 06/26/08)
3. A porte cochere shall not be utilized as a carport, garage, storage building, open storage, or living area. (Adopted 06/26/08)

5-10. Accessory Structures and Uses. (Adopted in its entirety 01/24/08)

A. The following accessory structures and uses are permitted in A-R and all residential zoning districts. Farm outbuildings and greenhouses are regulated as Conditional Uses under Article VII. and shall be allowed in the A-R Zoning District only. **A semi-trailer may be utilized as a farm outbuilding provided the property is zoned A-R and the semi-trailer is being used to store agricultural items.**

1. Well, well/pump house;
2. Guest house;
3. Greenhouse (for private use);
4. Swimming pool, pool deck, pool equipment enclosure, and pool screen enclosure;
5. Garage;
6. Recreational court;
7. Gazebo;
8. Cabana, covered patio, and covered deck;
9. Storage building; ~~and~~
10. Carport;~~;~~

11. Solar Panel (ground-mounted);

12. Wind Turbine;

13. Aircraft Hanger, detached (see Article VII); and

14. Dog House/Pen or Run.

- B. Structure Limitations. Construction of an accessory structure shall occur concurrently with or after the construction of the principal structure. Accessory structures shall not be used as dwelling units or for lodging purposes, except a guest house.
- C. Number and Size. The number and size of accessory structures shall conform to the requirements described herein.
1. Accessory structures shall be limited to one (1) of the following options:
 - a. Two (2) accessory structures, per individual lot, with each accessory structure not to exceed 900 square feet of floor area. One (1) of these accessory structures may include up to 700 square feet of heated and finished floor area to be utilized as a guest house. An accessory structure combined with a guest house, under this option, shall be deemed as one (1) accessory structure; or
 - b. One (1) accessory structure, per individual lot, not to exceed 1,800 square feet of floor area, or the total square footage of the principal structure, whichever is less. This accessory structure may include up to 700 square feet of heated and finished floor area to be utilized as a guest house. An accessory structure combined with a guest house, under this option, shall be deemed as one (1) accessory structure; or
 - c. Two (2) accessory structures per individual lot consisting of a freestanding guest house (not to exceed 700 square feet of heated and finished living space) and an accessory structure which may not exceed 1,100 square feet of floor area.
 2. At least ~~fifty (50) percent~~ **50 percent (50%)** of the square footage of an accessory structure shall be fully enclosed, except as otherwise provided in ~~Section 5-10~~ **herein**. Said enclosed area shall be surrounded by connecting adjacent walls constructed of solid materials attached to the foundation and roof.
 3. A well/pump house consisting of ~~seventy (70)~~ **70** square feet or less, **dog pen/run consisting of 150 square feet**, swimming pool, recreational court, aircraft hangar (see Article VII.), farm outbuilding (see Article VII.), greenhouse (see Article VII.), **ground-mounted solar panels, wind turbines**, and accessory structures incidental to commercial and industrial uses shall not be included in determining the number of accessory structures provided herein.
 4. Total Square Footage. When both of the following criteria are met, the upper level space shall be included in the total square footage of the structure:

a) the upper level space is accessed by permanent stairs and b) that portion of the upper level space where the ceiling width, measured at least seven (7) feet in height, is more than ~~fifty percent (50%)~~ **50 percent (50%)** of the ceiling width measured at least five (5) feet in height.

D. Location on Lot. Accessory structures shall conform to the dimensional requirements within each zoning district. No structure shall be located in the front yard except: a detached garage (see 1. and 2. below for requirements); well/pump house consisting of ~~seventy (70)~~ **70** square feet or less; or farm outbuildings and greenhouses located in an A-R Zoning District, where the lot consists of five (5) acres or more. On a single frontage lot, the area between the street and the front building line shall be treated as a front yard with regard to the location of accessory structures. On a corner lot, the area between both of the streets and both of the front building lines shall be treated as a primary front yard and a secondary front yard with regard to the location of accessory structures. On a through lot, the area between the street from which the lot is accessed and the front building line shall be treated as a front yard with regard to the location of accessory structures.

1. Detached Garage located in the Front Yard of a Single Frontage Lot and a Through Lot. A detached garage located in the front yard shall meet the following requirements:

- a. Shall not exceed 900 square feet of floor area;
- b. Located no more than ~~thirty-five (35)~~ **35** feet from the principal structure;
- c. Not exceed ~~twenty-three (23)~~ **23** feet in height;
- d. No more than ~~fifty percent (50%)~~ **50 percent (50%)** of the footprint of the garage may be located beyond the front building line of the principal structure;
- e. The width of the portion of the garage facing the street shall not exceed sixty percent (60%) of the width of the principal structure; and
- f. No portion of the garage may be located directly between the principal structure and the street.

2. Detached Garage Located in the Front Yard of a Corner Lot.

- a. Primary front yard. The location of the front door of the principal structure shall establish the primary front yard. The primary front yard is the area between the street and the front building line in which an accessory structure is prohibited, except in the case of a detached garage which shall comply with the requirements of a Single Frontage Lot; and

- b. Secondary front yard. Consequently, the other frontage shall be the secondary front yard. The secondary front yard is the area between the street and the front building line in which an accessory structure is prohibited, except in the case of a detached garage which shall comply with the following requirements:

- (1) Shall not exceed 900 square feet of floor area;
- (2) Located no more than ~~thirty-five (35)~~ **35** feet from the principal structure; and
- (3) Not exceed ~~twenty-three (23)~~ **23** feet in height.

3. Architectural Standards for a Detached Garage located in all front yards. The garage shall maintain a residential character. Elevation drawings denoting compliance with the following requirements must be submitted as part of the building permit application:

- a. The design of the garage shall match with the general architectural style inherent in the existing principal structure, including, but not limited to, roof pitch, roof facade, facade, residential windows, and residential doors.
- b. The garage shall have at least one (1) opening for vehicular access.
- c. A separate electrical meter is not permitted, unless otherwise required by the power company providing service to the property.
- d. The garage shall be connected to the principal structure by at least one (1) of the following:
 - (1) An attached or detached breezeway. Said breezeway shall be a minimum of six (6) feet in width and a minimum of eight (8) feet in height (interior measurement). A detached breezeway shall be constructed within six (6) inches of the principal structure and the garage; or
 - (2) An attached raised deck. Said attached raised deck shall be a minimum height of ~~fifteen (15)~~ **15** inches. The deck shall have a minimum width of six (6) feet. Said deck shall have guard rails measuring a minimum of three (3) feet in height; or
 - (3) An attached or detached pergola. Said pergola shall consist of parallel colonnades supporting an open roof of beams and crossing rafters, shall be a minimum of six (6) feet in width and a minimum of eight (8) feet in height (interior measurement). A detached pergola shall be constructed within six (6) inches of the principal structure and the garage.

- E. Guest Houses. Only one (1) guest house is allowed per individual lot. Any living area included in an accessory structure is a guest house. A guest house shall not be used as tenant space.
1. Size. A guest house shall not exceed 700 square feet of heated and finished living space.
- F. Architectural Standards. All accessory structures of 200 square feet or greater, except a detached garage located in the front yard, shall be constructed in a residential character **and shall match with the general architectural style inherent in the existing principal structure** consisting of a gable, hip, or gambrel roof only, with a minimum pitch of 4 1/2" in 12", and a façade of fiber-cement siding, wood siding, wood textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, stucco, synthetic stucco, or finished/baked enamel ~~aluminum~~ **metal** siding **which establishes a horizontal pattern**. Elevation drawing denoting compliance must be submitted as part of the building permit application.
- G. Temporary Accessory Storage. Portable on demand storage units are only allowed on a temporary basis and only in conjunction with an ongoing a renovation project for the purpose of storage of household items for a period not to exceed one (1) year. Portable on demand storage units are defined as any container, storage unit or other portable structure, other than an accessory building or shed complying with all building codes used to store household items. Only two (2) portable on demand storage units are allowed per lot.
- H. Carport. The carport shall be used to house motor vehicles and trailers only. Carports shall be constructed of the same material or types of material as the principal structure on the property, or of metal.
- I. Cabana, covered patio, and covered deck. The cabana, covered patio, and covered deck shall not be utilized as a carport, garage, storage building, open storage, or living area. Said structures shall, at a minimum, consist of a roof with supporting posts/columns, not exceed one (1) story, and comply with the Architectural Standards for an accessory structure 200 square feet or greater.
- J. Swimming pool, pool deck, pool equipment enclosure, and pool screened enclosure. The pool deck, pool equipment enclosure, and pool screened enclosure shall comply with the required setbacks. A pool screen enclosure shall be constructed with insect screening commonly made of plastic, aluminum, or similar lightweight material.
- K. Solar Panels (ground-mounted). Solar Panels shall be under ? feet in height.**
- L. Wind Turbines. Wind Turbines shall be under seventy (70) feet in height. The setbacks shall be equal to the height of the wind turbine or the applicable zoning district setbacks, whichever are greater.**
- ~~K.~~ **M. Nonconformance**. All accessory structures or uses which had a building permit issued prior to January 24, 2008 (the adoption date) are legally non-conforming and

shall be allowed to be maintained and rebuilt to current size and in the existing location. All accessory structures or uses permitted after January 24, 2008 (the adoption date) must comply with the current requirements.

5-11. Common Area. When a common area is located between a lot and the road/street right-of-way, the setback on the lot shall be measured from the right-of-way as a front yard setback or from the common area as a side or rear setback and whichever is greater shall apply. (Adopted in its entirety 08/14/08 and enacted 10/01/08)

5-12. Pavilion. A pavilion is an accessory structure which is allowed in non-residential zoning districts except as otherwise provided herein.

5-13. Street Frontage for Access. (Amended 08/26/99)

A. For access purposes, all residential or non-residential lots must have frontage on a street and/or a cul-de-sac that is either: (Amended 08/26/99)

1. Deeded to the County through a warranty deed; or
2. County or State-maintained; or
3. Deeded to a homeowner's association through a recorded warranty deed which the owner of any lot within the subdivision is required to join.

B. All residential lots are required to have a continuous minimum lot width of 100 feet from the front property line to the building line and at least 100 feet of immediate street frontage on a street described in subsection A. above unless:
(Amended 06/25/98)

1. The lot is "Landlocked Property" as provided in Section 5-14; or

2. The lot is one (1) of four (4) or less lots located on the turn-around portion of a cul-de-sac. Each lot which fully abuts the turn-around portion of the cul-de-sac must have a minimum of ~~fifty (50)~~ 50 feet of street frontage. There shall be a maximum of four (4) lots which fully abut the cul-de-sac. In addition, if ~~fifty percent (50%)~~ 50 percent (50%) or more of the frontage of a lot abuts the turn-around portion of a cul-de-sac, then that lot shall be classified as a cul-de-sac lot. (Amended 08/26/99)

C. For access purposes, all nonresidential lots are required to have at least a continuous minimum lot width of 125 feet from the front property line to the building line and at least 125 feet of frontage on a street described in subsection A. above unless:
(Amended 08/26/99)

1. The lot is "Landlocked Property" as provided in Section 5-14; or
2. The lot is one of four (4) or less lots located on the turn-around portion of a cul-de-sac. Each lot which fully abuts the turn-around portion of the cul-de-sac must have a minimum of ~~fifty (50)~~ 50 feet of street frontage. There shall be a maximum of four (4) lots which fully abut the cul-de-sac. In addition, if ~~fifty percent (50%)~~ 50 percent (50%) or more of the frontage of a lot abuts the turn-around portion of a cul-de-sac, then that lot shall be classified as a cul-de-sac lot. (Amended 08/26/99)

5-14. Landlocked Property. In the event property is landlocked, as of the effective date of this Ordinance, the property owner shall be entitled to one (1) building permit, provided:
(Amended 02/22/07)

- A. No other principal building exists or is being constructed on said property;
- B. No other valid building permit has been issued prior to the effective date of this Ordinance and is currently valid;
- C. The property owner has acquired a ~~twenty (20)~~ 20 foot easement to a County maintained street, and said easement has been duly recorded and made a part of the property deed; and
- D. In the event said property is divided into two (2) or more lots, no further building permits shall be issued until such time as there exists a street meeting all of the requirements as specified in the Fayette County Subdivision Regulations.

5-15. Obstruction of Vision. No fence, wall, structure, shrubbery or other obstruction to vision between the height of three (3) feet and ~~fifteen (15)~~ 15 feet, as measured from road grade except utility and light poles shall be permitted within ~~twenty (20)~~ 20 feet of the intersection of the right-of-way lines of streets, roads, highways, railroads or any combination thereof.
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- 5-16. ~~Uses Prohibited. If either a use or class of uses is not specifically indicated as being permitted in a zoning district, either as a matter of right or as a conditional use, then such use, class of uses, or structures for such uses shall be prohibited in such zoning district.~~

Relocate to 5-2.

- 5-17. Walls, Fences, and Entrance Structures located in a front yard in A-R and all residential zoning districts and Residential and Nonresidential Subdivision Entrance Walls and Fences. (Amended in its entirety 08/14/08 and enacted 10/01/08)

A. All walls and fences shall comply with the following:

1. No wall or fence shall be constructed in a public right-of-way, and such wall or fence shall not be constructed any closer than three (3) feet from any fire hydrant. Walls and fences in the right-of-way shall be removed.
2. Any vehicular driveway shall have a minimum clearance of ~~fourteen (14)~~ **14** feet in width and ~~fourteen (14)~~ **14** feet in height to allow for the passage of emergency vehicles.
3. All walls and fences shall be maintained and repaired as required in the International Property Maintenance Code.
4. A Zoning Compliance Certificate will be required for all walls and fences located in a front yard prior to construction. A scaled drawing shall be submitted to the Planning & Zoning Department which shall include, but not limited to: wall and/or fence elevations, location, height of wall/fence, posts/columns, and ornamental statues, figurines, and light fixtures, visibility, spacing over the entire linear footage of wall/fence, changes in grade, building materials, and other requirement of the ordinance.

B. Walls and Fences not exceeding four (4) feet in height shall comply with the following:

1. A wall or fence shall be constructed of brick/brick veneer, stucco, synthetic stucco, rock, stone, cast-stone, wood, wrought iron, chain link or other wire materials, or other architecturally engineered facades which match these materials.
2. Posts or columns, light fixtures, ornamental statues, and figurines shall not be included in the measurement of the four (4) foot wall height.

C. Walls and Fences exceeding four (4) feet in height shall comply with the following:

1. A wall and/or fence shall be constructed of brick/brick veneer, stucco, synthetic stucco, rock, stone, cast-stone, wood, wrought iron, or other architecturally engineered facades which match these materials.

2. A solid wall and/or fence shall not exceed four (4) feet in height and any portion of a wall and/or fence higher than four (4) feet shall have a minimum visibility of ~~50 percent (50%)~~ **50 percent (50%)** which shall be uniformly spaced over the entire linear footage of the wall and/or fence. Columns and posts shall not be included in this calculation.
 3. A vehicular entry structure shall not be subject to the four (4) foot wall and fence requirement or the minimum visibility of 50 percent (50%) within 35 feet of either side of the driveway.
- D. Walls and fences that cannot meet height requirements due to changes in grade shall make adjustments to each section (as created by the columns or posts) of the wall or fence to meet the requirements to the greatest degree possible. In some cases, this will result in a stair-step pattern as the wall or fence moves along the grade.
- E. Exemptions.

The following shall be exempt from the above requirements:

1. In any residential zoning district where horses are kept in accordance with Article V. General Provisions, Raising and Keeping Horses in Residential Districts, a wall or fence made of chain link or other wire materials is exempt from the four (4) foot maximum height requirement and shall not exceed a maximum of five (5) feet in height in a front yard.
2. Where the use of the property is for farming in an A-R zoning district, including the raising and selling of crops and/or livestock, is exempt from the four (4) foot maximum height requirement, and exempt from the construction requirements of brick/brick veneer, stucco, synthetic stucco, rock, stone, cast-stone, wood, wrought iron, or other architecturally engineered facades which match these materials.
3. Walls and Fences in any residential or A-R zoning district;
 - a. On a corner lot, in order to reduce road noise, a solid wall and/or fence along a street which is classified as an Arterial or Collector per the Fayette County Thoroughfare Plan shall be exempt from the four (4) foot maximum height requirement and the 50 percent (50%) visibility requirement. However, this exemption shall not apply to the street which the front door of the residence is facing.
 - b. Where a temporary fence is used in conjunction with a construction site, said fence is exempt from the requirements of this section.
 - c. A fence required for a telecommunication tower site shall comply

with the requirements of Article V. General Provisions, Telecommunication Antennas and Towers and shall be exempt from the requirements of this section.

- d. A wall or fence used in conjunction with a storm water facility shall be exempt from the requirements of this section.
- e. A wall or fence used in conjunction with any non-residential Permitted Use or Conditional Use, including but not limited to: an Animal Hospital, Kennel; Cemetery and Mausoleum; Church, Temple, or Place of Worship; Colleges and Universities; Day Care Facility; School, Private; Telephone, and Electric or Gas Sub-Station or other Public Utility Facilities shall be exempt from the requirements of this section.
- f. With regard to the location of a wall or fence, a through lot shall be exempt from the four (4) foot maximum height requirement and the minimum 50 percent (50%) visibility requirement except for the area between the street from which the lot is accessed and the front building line which shall be treated as a front yard.

E. Residential and Nonresidential Subdivision Entrance Walls and Fences.

Subdivision Entrance Walls and Fences shall be placed on common property under the ownership of the Home Owners Association (HOA) or the Property Owners Association (POA). Common property shall be shown on the Preliminary Plat and/or Final Plat. Said walls and fences shall not be subject to the four (4) foot height or 50 percent (50%) visibility requirements, but shall be constructed of brick/brick veneer, stucco, synthetic stucco, rock, stone, cast-stone, wood, wrought iron, or other architecturally engineered facades which match these materials.

(Note: (Check with the Building Permits & Inspections Department for any permitting requirements for walls/fences/subdivision entrances.)

F. Nonconformance.

All walls and fences which were lawfully built and existing on October 1, 2008, and which do not conform with the provisions of this Article, shall be allowed to remain in place and shall be considered to be a legally existing non-conforming wall or fence. Additionally, any walls or fences built prior to October 1, 2008, that were in compliance with all codes and ordinances when it was built except for the height of the wall or fence, and which do not conform with the provisions of this Article, shall be considered a legally existing non-conforming wall or fence and shall be allowed to remain in place. All walls and fences built after October 1, 2008, shall comply with this Article.

- 5-18. Screening Required. Any outside service area, refuse area, storage area or outside equipment area shall be screened from view in accordance with ~~Section 5-19~~ Article V.
- 5-19. Screening Standards. Walls and fences or combinations thereof shall achieve a 100 percent screen prior to the issuance of a Certificate of Occupancy. Walls and fences required for screening purposes shall be limited to wood, brick, stone, concrete or concrete block (with architectural treatment), or any such wall or fence combined with vegetative screening materials which shall be compatible with or enhance the appearance of adjoining properties. Chain link fences with wooden, metal, or vinyl inserts may be utilized to establish a screen in the M-1 and M-2 Zoning Districts.
- 5-20. Side and Rear Yards Not Required Next to Railroad. Within any non-residential zoning district, side yards and rear yards shall not be required adjacent to railroad rights-of-way.
- 5-21. Nonconforming Lot of Record. Any unimproved nonconforming lot of record existing prior to the adoption of this Ordinance which has an area or a width which is less than that required by this Ordinance may be used as a building site for a principal structure permitted in that zoning district. All other structures and uses must conform to the applicable regulations contained herein.
- 5-22. Structures Permitted Above the Height Limit. The height limits shall not apply to a church spire, belfry, cupola, dome or ~~ornamental tower~~ architectural features not intended for human occupancy, monument, water tower, observation tower, chimney, smoke stack, conveyer, mast or aerial, parapet wall not extending more than four (4) feet above the roof line of the building, and necessary mechanical appurtenances. A freestanding flagpole is also permitted above the height limit, provided the total height is under 70 feet. Total height shall be measured from the finished grade at the location of the flagpole to the highest point. (Amended 09/26/02).
- 5-23. Permitted Encroachments of Yards and Setbacks. Architectural features such as cornices, eaves, steps, gutters, and fire escapes may project not more than three (3) feet beyond any required setback line, except where such projections would obstruct driveways. In the case of automobile service stations, hotels, and similar uses which service the motoring public, canopies shall be allowed over a driveway or walkway ~~within the front yard not to extend from the principal building to a point any closer than fifteen (15) feet from the right-of-way.~~ One (1) flagpole per lot shall also be allowed to encroach into the front yard setback, provided it is located not less than ~~fifteen (15)~~ 15 feet from the right-of-way. Flagpoles which encroach the front yard setback shall be required to have a signed and sealed affidavit from an architect or engineer registered in the State of Georgia with the actual location and setback of the flagpole and inspection approval of the footing to be submitted to the Planning and Zoning Department prior to placement of the flagpole. (Amended 09/26/02)
- 5-24. Lots with Well and/or Private Sewage System. Any lot upon which both an individual well and septic tank or private sewage system are to be provided shall be governed by Title 31 of the Official Code of Georgia Annotated, entitled "Health", and shall be further governed by the Georgia Department of Human Resources Rules and Regulations for Individual Sewage

Disposal Systems and by the rules and regulations of the Fayette County Health Department as amended and the Fayette County Water System, if applicable. Lots using both well and septic tank systems shall not be less than one and one-half (1.5) acres in size.

- ~~5-25. Regulations for Drip Irrigation Systems. All drip irrigation systems shall comply with those regulations entitled "Land Application by Drip Irrigation" which have been proposed by the water protection branch of the Environmental Protection Division, Department of Natural Resources for the State of Georgia, revised as of May 1, 1995, and as hereinafter amended, and containing the local amendment entitled "Sanitary Sewer System Specifications"; such rules and regulations being adopted hereby in their entirety by this reference.~~
- ~~5-26. Operation of Sanitary Landfills. Private landfills shall be certified and monitored by the Georgia Department of Natural Resources. Permits for the hauling of garbage shall be obtained from the Board of Commissioners of Fayette County.~~
- 5-27. Requirements for Moving a Building. No dwelling unit or other permanent structure shall be relocated in the County unless, when relocated, it meets all requirements herein and other applicable County code requirements.
- 5-28. Buildings Under Construction. Nothing in this Ordinance shall require any change in the construction or intended use of a building which is legally under construction or for which a building permit has been issued as of the effective date of this Ordinance and the construction of which shall be diligently pursued until completion.

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Chairman Powell asked if there was any further business. Hearing none, made a motion to adjourn the Public Meeting/Workshop. The motion unanimously passed 5-0. The Public Meeting/Workshop adjourned at P.M.

PLANNING COMMISSION
OF
FAYETTE COUNTY

ATTEST:

DOUG POWELL
CHAIRMAN

ROBYN S. WILSON
P.C. SECRETARY